United Nations A/50/PV.117

General Assembly
Fiftieth Session

Official Records

117th plenary meeting
Thursday, 25 April 1996, 3 p.m.
New York

President: Mr. Freitas do Amaral . . . . . (Portugal)

The meeting was called to order at 5.25 p.m.

Agenda item 44 *(continued)*

The situation in the Middle East

Draft resolution (A/50/L.70)

The President: Representatives will recall that the Assembly decided this morning to proceed immediately this afternoon to consideration of the draft resolution, as orally revised.

Mr. Elaraby (Egypt): Allow me first of all to apologize to you, Mr. President, and through you to all the members of the General Assembly for delaying the proceedings to this afternoon. May I also pay tribute to you for your patience and your leadership, for which we are all grateful.

The co-sponsors of the draft resolution, on whose behalf I am speaking, have listened throughout the debate to all the views expressed. The co-sponsors presented a draft which they hope will be supported by the Assembly; it reflects the gravity of the situation. This morning we entered into long and arduous negotiations with the parties that wanted to participate, and, as a result I now have the pleasure to give details of further proposed oral revisions to draft resolution A/50/L.70.

First, we propose that in the third preambular paragraph "recalling" should be replaced by "reaffirming". The paragraph will now read

> "*Reaffirming* the relevant Security Council resolutions on the situation in Lebanon, in particular resolution 425 (1978) of 19 March 1978".

It is then proposed to add a new preambular paragraph, which will be the fourth preambular paragraph, to read:

> "*Reaffirming* also the United Nations Security Council resolutions 242 (1967) and 338 (1973) and in particular the principles of withdrawal from the occupied Arab territories and the right of all States in the region"

I emphasize "the right of all States in the region"

> "to live in peace and security within their internationally recognized boundaries".

The co-sponsors believe that the proposed new fourth preambular paragraph will make the draft resolution more acceptable to members of the General Assembly. On behalf of the co-sponsors, I extend our thanks for the debate and appeal to all Member States to consider the gravity of the situation in Lebanon and vote in favour of the draft resolution as orally revised.

The President: I understand that in the light of the statement made by the representative of Egypt, the Russian Federation does not insist that its oral amendment be acted upon.

96-85609 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

We shall now proceed to consider draft resolution A/50/L.70, as orally revised. The debate is thus closed and no new substantive proposals or amendments will be entertained.

Before calling on the representative of the Russian Federation, who wishes to speak in explanation of vote before the vote, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): During the discussions in the General Assembly, the Russian delegation had the opportunity to explain in detail its fundamental position with regard to the tragic events in Lebanon. We clearly stated that what is happening there is unacceptable, that Israel's actions undermine the unity of the Lebanese State, do damage to the civilian population and may have the most negative consequences for the Middle East peace process.

We consider the draft resolution presented by the Arab Group with all its emotion, to be geared, on the whole, to achieving an immediate end to hostilities.

Paragraph 1 of the draft resolution has an appeal clearly addressed to all parties, and it is important that, under paragraph 2, the diplomatic efforts to this end are to be supported. In this regard, the draft resolution expresses exactly what the Security Council adopted unanimously in its resolution 1052 (1996). Key elements in today's draft confirm the territorial integrity, sovereignty and political independence of Lebanon, as well as the right of all States in the region, including, of course, Israel, to live in peace and security within internationally recognized boundaries.

My delegation would certainly have preferred a more balanced draft fully reflecting all aspects of the complicated situation in Lebanon. A question also arises with regard to the sub-title of the draft resolution. We regret the haste with which the draft is being put to the vote, and think that the possibilities of gaining further support for the draft were not fully utilized.

None the less, the news from Lebanon, especially today, is that the hostilities there are not abating. Israel continues without justification to fire on the United Nations forces in Lebanon. The casualties among the civilian population are increasing. In this context, we feel that the political signal being sent by the draft resolution is particularly timely.

In the light of all these factors, the Russian delegation will vote for the draft resolution. Russia has consistently and firmly called upon all sides to show restraint. We are convinced that only through political means can the vicious circle of violence be broken.

As a co-sponsor of the peace process, Russia insists that Israel and Lebanon get down to reaching a peace settlement quickly on the basis of Security Council resolution 425 (1978), which calls for the withdrawal of Israeli forces from Lebanon, and that the security of all countries in the region be guaranteed.

The President: We have heard the only speaker in explanation of vote before the vote.

The Assembly will now take a decision on draft resolution A/50/L.70, as orally revised.

In this connection, I should like to announce that the following countries are co-sponsors of the draft resolution, as orally revised: Afghanistan, Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cambodia, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

We shall now begin the voting process.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Bhutan, Brunei Darussalam, Cambodia, China, Colombia, Comoros, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Egypt, Ghana, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Papua New Guinea, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Trinidad and Tobago, Tunisia,

Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, United States of America

Abstaining:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, Croatia, Czech Republic, Denmark, Ecuador, Estonia, Fiji, Finland, France, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Monaco, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela

Draft resolution A/50/L.70, as orally revised, was adopted by 64 votes to 2, with 65 abstentions (resolution 50/22 C).

[Subsequently the delegations of Belize and of Bosnia and Herzegovina advised the Secretariat that they had intended to vote in favour.]

The President: Before calling on the first speaker in explanation of vote after the vote, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Matri (Libyan Arab Jamahiriya) (*interpretation from Arabic*): My delegation voted for draft resolution A/50/L.70, as orally revised. However, it should be understood that this vote does not mean that we recognize the Zionist entity.

The delegation of my country is fully convinced that a true, just, comprehensive and lasting peace can be established only with the creation of a democratic, non-racist State, similar to that created recently in South Africa and including Arabs and Jews, on all the land of Palestine.

Mr. Fulci (Italy): I am speaking on behalf of the European Union. The following countries, which are associated with the European Union, join in this statement: Bulgaria, Czech Republic, Estonia, Hungary, Lithuania, Malta, Poland, Romania and Slovakia.

The European Union clearly expressed its position on the aggravation of the situation in the Middle East in the declaration on Lebanon adopted by its Foreign Ministers in Luxembourg on 22 April 1996. The declaration renewed the appeal for an immediate cease-fire, in this context supporting Security Council resolution 1052 (1996). The Foreign Ministers' declaration emphasized that only a political solution can bring an end to the current crisis and allow the peace process to resume its course.

Following the introduction of the draft resolution, which has just been adopted, the European Union contacted the co-sponsors of the draft resolution in an attempt to reach agreement on a text that could perhaps have obtained greater, if not general, support from the General Assembly. Despite the goodwill and efforts of all those involved in this negotiation, it proved impossible to reach agreement. For this reason, all 15 members of the European Union, and the associated countries which I have mentioned, decided to abstain.

This said, the European Union insists that all the parties, whether directly or indirectly involved in the current conflict, contribute to an immediate halt to hostilities and acts of violence, with the aim of allowing peace negotiations to resume.

Mr. Çelem (Turkey): As we stated earlier, we attach the utmost importance to respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries. In this context, we have also emphasized that the implementation of Security Council resolution 425 (1978) is vital for the attainment of a just and viable peace in the Middle East. However, we also believe that terrorism is the biggest danger to the peace process, and that the fight against terrorism, within the bounds of lawfulness, constitutes one of the indispensable pillars of the peace process. We abstained in the vote because the resolution just adopted does not contain a reference to this fact. Had the draft resolution contained such a reference, we would have voted in favour.

Mr. Jansen (Canada): Canada abstained on the resolution. We regret that it was not possible to reach agreement on a more balanced text which we could have supported. Canada has continuously urged an immediate cease-fire and a long-term settlement, and we very much hope that current diplomatic efforts will achieve this very soon. We deplore the loss of civilian lives in the ongoing hostilities in Lebanon, and the attacks on United Nations personnel. Canada calls for respect for the territorial integrity and sovereignty of Lebanon, and the implementation of Security Council resolution 425 (1978). We also reaffirm the right of all States in the region to live in peace and security within their internationally recognized borders.

Mr. Izquierdo (Ecuador) (*interpretation from Spanish*): The delegation of Ecuador abstained on the draft resolution contained in document A/50/L.70, because it does not reflect all the aspects of the crisis in Lebanon.

My delegation considers it essential to support the peace process in the Middle East, initiated at the Madrid conference in 1991, and to contribute as effectively as possible to strengthening the bilateral and multilateral negotiating mechanisms, which must continue. However, we reiterate Ecuador's steadfast rejection of the occupation or acquisition of territory by force, and our firm conviction that a peaceful, negotiated solution must be found to territorial problems between States, in accordance with the principles established in the Charter and the norms of international law.

Finally, Ecuador rejects the use of violence in international relations, and firmly condemns acts of terrorism, whatever the source. We consider that the norms of international humanitarian law must be fully implemented, particularly with regard to the protection of the civilian population, who have been the greatest victims of the recent armed conflicts.

Mr. Al-Habib (Islamic Republic of Iran): My delegation voted in favour of the draft resolution contained in document A/50/L.70. However, we express reservations about those parts of the resolution that might be construed as giving any recognition to Israel.

Mr. Agathocleous (Cyprus): The vote by Cyprus in favour of the resolution was a vote on principle. It was also based on our concern about the continuation of acts of violence and the use of force that lead to the loss of life, especially of innocent people. Inevitably such acts lead to a spiral of force. They must be stopped immediately. Arguments can go on for ever; however, a lost life is lost for ever.

We strongly agree that everyone must respect the sovereignty, territorial integrity and independence of all States, as well as the right of every State to exist in conditions of security and peace.

Cyprus has friendly relations with all the countries in the area. We believe that peace and stability must be established in the Middle East, an area which should be given the chance to reconstruct itself and begin a new era — an era of cooperation and development for the benefit of all the people in the region. The peace process must continue unhindered and uninhibited towards its goal of a permanent and comprehensive peace, a goal to which we all aspire.

Mr. Camacho Omiste (Bolivia) (*interpretation from Spanish*): This morning I had the honour of informing you, Mr. President, and the General Assembly that the Bolivian delegation had made the necessary payment to reduce its arrears and was therefore able to exercise its right to vote, but the Secretary-General had informed us that for administrative reasons some additional hours were needed to process the payment. I therefore wish to place on record that Bolivia supports the resolution.

Mrs. Gittens-Joseph (Trinidad and Tobago): Trinidad and Tobago supported the resolution contained in document A/50/L.70 to register its abhorrence at the recent emergence of human tragedy which is being inflicted upon the people of the region, leading to the loss of innocent life. The attack on the United Nations Interim Force in Lebanon (UNIFIL) camp cannot be condoned.

My delegation, however, would have preferred a more balanced text. In this respect, it fully endorses what Jamaica stated yesterday on behalf of the Caribbean Community (CARICOM) States, calling for respect for the territorial integrity, sovereignty and political independence of all States in the region within their internationally recognized boundaries.

It is the hope of my delegation, Sir, that good sense will prevail, and all the parties concerned will cooperate so that the diplomatic efforts under way to secure a cease-fire will meet with success soon, the peace process can be expedited and the people in the region will enjoy a just and lasting peace, which has eluded them for too long.

Mr. Tejera París (Venezuela) (*interpretation from Spanish*): On 23 April the Government of Venezuela stated that it was following with grave concern events in Lebanon since 11 April, which, in addition to aggravating tensions, had become an obstacle to the establishment of lasting peace in the Middle East, upsetting the important achievements attained by the peace process which began in September 1993.

We profoundly regret the loss of life among innocent victims of this armed confrontation, and we want to express our condolences to, and solidarity with, their families.

The Venezuelan Government has urged implementation of Security Council resolution 1052 (1996) of 18 April, in which the Security Council urges the parties to immediately cease hostilities, as well as of the provisions of the Council's resolution 425 (1978), which, it should be recalled, has lost neither its validity nor its potential.

We must oppose any interference with the sovereignty and territorial integrity of any country. The Venezuelan Government reiterates its categorical rejection of terrorism as a means of political struggle as well as of indiscriminate armed action which, in addition to threatening regional stability, violate the universal principle of the peaceful settlement of disputes.

In conclusion, my delegation regrets that in the draft resolution, which contains some elements that we share, amendments were not included to make it more balanced. There was a lack of patience just when it was needed, and too much haste at the wrong time.

Mr. Gutiérrez (Costa Rica) (*interpretation from Spanish*): On instructions from my Foreign Ministry, my delegation would like to explain Costa Rica's vote in favour of draft resolution A/50/L.70. Costa Rica is a country with a long democratic and pacifist tradition. Its actions in international forums are guided by principles and involve the search for harmonious, viable solutions to global problems.

We therefore do not agree that armed actions are an appropriate way to resolve conflicts. Costa Rica does not agree with Israel's bombing of cities in southern Lebanon. My country considers terrorism to be one of the greatest evils of this end-of-the century era and we therefore strongly condemn all forms of terrorism. This, of course, includes terrorist provocations in Lebanon.

As a country that cherishes peace and democracy, Costa Rica makes a heartfelt appeal to all the parties in conflict to renounce the use of force and resolve their differences by peaceful means. Until there is a cease-fire, allowing dialogue and negotiation to take place, it will be impossible to achieve the ideals of peace which our country has always defended in this and other forums.

Costa Rica welcomes all diplomatic efforts, and especially the efforts of the United States and the European Union — in particular by France — aimed at a peaceful solution to the problem of Lebanon, as well as any additional effort that can ensure the continuity and success of peace agreements in the region.

Mr. Cassar (Malta): Malta associates itself with the statement made earlier by the Permanent Representative of Italy on behalf of the European Union in explanation of vote.

Malta believes in the right of all peoples in the Middle East to live in peace and freedom. Malta believes in the sovereignty, territorial integrity and political independence of every State in the region, and the right to live in peace within secure and recognized boundaries, free from threats of acts of force. Malta believes that the loss of life, agony, anguish, and destruction which violence has inflicted on the peoples in the Middle East over the years — and again in recent days — should come to an end.

My Government has already expressed its deep concern at the negative turn of events which the fresh outbreak of violence and the escalation of military activities in northern Israel and Lebanon represent. Escalation of military activity has caused untold suffering to the civilian populations and to international personnel, threatens the lives and security of all people in the region and is jeopardizing the peace process in the Middle East.

Difficult as it is when the integrity of the State is placed at risk, it is only through the political will not to be entrapped by provocation and through a continued exercise of self-restraint that the parties involved can save themselves from being dragged into a spiral of violence which multiplies human suffering and easily leads to a cycle of action, reaction and over-reaction.

In this spirit, we supported the contacts between delegations to seek a more balanced text, which gathers around it the widest possible consensus, which the

current tragedy merits. Regretfully, these contacts have not yielded the desired results.

In abstaining, Malta renews its call for an immediate cessation of hostilities by all parties and its support for ongoing diplomatic efforts to that end. Malta welcomes the Security Council's reaffirmation of the international community's commitment to the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries and to the security of all States in the region.

Mr. Kulla (Albania): The delegation of the Republic of Albania abstained during the vote which has just been taken. We express the most sincere sympathy to the Government and people of Lebanon over the loss of a great number of innocent civilian lives, and our deepest condolences to the bereaved families who lost their loved ones.

My Government fully supports the peace process in the Middle East. We emphasize that only a peace process through diplomatic efforts gives hope of reaching agreement. To this end, the engagement of all parties is needed. We are against terrorism, and at the same time we support the full implementation of Security Council resolution 425 (1978) and the efforts of Lebanon to extend the authority of its Government over all its territory to make it possible to stop the terrorist acts originating in its country. My Government affirms its full support for the territorial integrity, political independence and sovereignty of Lebanon.

Mr. Kamal (Pakistan): My delegation voted in favour of the resolution on the subject of the Israeli military attacks against Lebanon and their consequences. Our support would have been even stronger had the draft resolution not been subjected to an amendment, with the addition of a new fourth preambular paragraph, brought about by the oral amendment originally moved by the Russian Federation this morning.

This new preambular paragraph dilutes the clear focus of the resolution, which should have remained on the tragic situation in Lebanon alone. The new preambular paragraph also contains language which is apparently based on Security Council resolution 242 (1967), but which is in actual fact different from the language of that Security Council resolution, and is therefore subject to misinterpretation regarding explicit or implicit recognition of Israel.

Pakistan's position on this subject is well known and does not need to be reiterated yet again.

The President: We have heard the last speaker in explanation of vote after the vote.

I now call on the representative of Lebanon.

Mr. Moubarak (Lebanon): Let me at the outset express to you, Sir, the satisfaction of my Government, my people and myself for your positive attitude in convening this resumed session of the General Assembly on the situation in the Middle East to discuss the Israeli attacks against Lebanon and their consequences.

My thanks also go to all the personnel of the General Assembly.

Secondly, I would like to express the deep appreciation of my Government and people, and my own deep appreciation, for the cooperation we received from the Secretary-General and his assistants in order to resume the fiftieth session of the General Assembly.

Let me also express our deep gratitude to all those delegations that voted in favour of draft resolution A/50/L.70, which was sponsored by delegations from the Arab Group, the Non-Aligned Movement and the Organization of the Islamic Conference, and many others. My thanks go to the Chairman of the Arab Group, Ambassador Samhan, of the United Arab Emirates; the Chairman of the Non-Aligned Movement, Ambassador Londoño Paredes; and the Permanent Observer of the Organization of the Islamic Conference, Ambassador Ansay.

I would also like to thank Ambassador Nabil Elaraby, Permanent Representative of Egypt, for his collaboration, which included coordinating constantly with us in the debate on the Israeli attacks against Lebanon and their consequences.

Last but not least, I would also like to express my gratitude to Ambassador Francesco Paolo Fulci, Permanent Representative of Italy and representative of the Presidency of the European Union, for his collaboration and for trying to bridge gaps to reach a common understanding with the European Union, and the Ambassador of Guinea for being most cooperative as Chairman of the Organization of the Islamic Conference in New York.

The General Assembly, the highest political body in the international community, has today condemned the Israeli military attacks against the civilian population in Lebanon — especially against the United Nations Fijian headquarters at Qana, killing scores of civilians — that violate the rules of international humanitarian law on the protection of civilians. It has also called upon Israel to immediately cease its military action against Lebanese territorial integrity and to withdraw its forces forthwith from Lebanese territory in conformity with Security Council resolution 425 (1978).

Today the General Assembly has clearly denounced Israel as the aggressor. Now it is up to Israel to abide by the will of the international community by ceasing its attacks against Lebanon and ceasing its military attacks against the civilian population in my country. The Assembly considered that Lebanon was entitled to appropriate redress for the destruction it has suffered and that Israel is responsible for this compensation.

I said last week on many occasions in the Security Council that violence would not achieve anything. It is high time for Israel to change its distorted logic and to abide by the Charter of the United Nations, international law and Security Council resolutions. It is high time for Israel to understand the Middle East. Israel cannot have it both ways. If it wants peace, it has to abide by the land for peace equation of the Madrid peace conference. Israel cannot escape its international obligations. Security Council resolution 425 (1978) has to be implemented fully and immediately.

Today is the fourteenth day of Israel's continued aggression against Lebanon. Bombardments are still going on against the Lebanese civilian population, in violation of all norms and principles of international law. Today a whole family of nine was killed by the Israeli air force. This only adds to the massacres already perpetrated by the Israeli Army against the civilian population of my country. It is high time for Israel to understand that it is not above the law. Israel will ultimately have to abide by this conclusion — whether it likes it or not.

We would have liked to see those few countries that voted against our text instead play a positive role in forcing Israel to stop its madness against Lebanon.

My country and its people are enduring bloodshed and death. Tomorrow a third week of Israeli killings will start in Lebanon. It is high time to stop the Israeli killing; it is high time to stop using Lebanon as a playground for Israeli politics; it is high time to stop using Lebanon as an electoral platform for Israeli politicians. What is taking place today in Lebanon is a joint venture of Israeli terror and Israeli elections.

I would like to stress once again that what is going on in Lebanon is resistance against foreign occupation. Israel has to come to the conclusion that only Security Council resolution 425 (1978) will pave the way to peace and security.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 44.

The meeting rose at 6.20 p.m.

United Nations A/50/PV.118

General Assembly

Official Records

Fiftieth Session

118th plenary meeting
Friday, 10 May 1996, 10.30 a.m.
New York

President: Mr. Freitas do Amaral . . . . . (Portugal)

The meeting was called to order at 11.15 a.m.

Agenda item 120 *(continued)*

Scale of assessments for the apportionment of the expenses of the United Nations (Article 19 of the Charter) (A/50/888/Add.7)

The President: I should like to draw the General Assembly's attention to document A/50/888/Add.7.

In a letter contained in that document, the Secretary-General informs me that, since the issuance of his communications dated 28 February, 6 March and 3, 11, 16, 23 and 25 April 1996, Bolivia has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 8 *(continued)*

Adoption of the agenda and organization of work

Request for the reopening of the consideration of agenda item 17 (b) (Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the Committee on Contributions)

Note by the Secretary-General (A/50/952)

The President: In his note contained in document A/50/952, the Secretary-General informs the General Assembly that he has received notification of the resignation of Mr. Yuri Chulkov, Russian Federation, from the membership of the Committee on Contributions and that the Assembly will therefore be required at its current session to appoint a person to fill the unexpired portion of the term of office of Mr. Chulkov, that is, until 31 December 1996.

In order to enable the General Assembly to take the required action, it will be necessary to reopen consideration of sub-item (b) of agenda item 17, entitled "Appointment of members of the Committee on Contributions".

May I take it that the General Assembly, on the proposal of the Secretary-General, wishes to reopen consideration of sub-item (b) of agenda item 17?

It was so decided.

The President: Members will recall that, at its 3rd plenary meeting, on 22 September 1995, the Assembly allocated this sub-item to the Fifth Committee.

May I take it that the Assembly again wishes to allocate this sub-item to the Fifth Committee?

It was so decided.

96-85670 (E)

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The President: The Chairman of the Fifth Committee will be informed of the decision just taken.

Agenda item 7 *(continued)*

Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations

Note by the Secretary-General (A/50/442/Add.1)

The President: As members are aware, in accordance with the provisions of Article 12, paragraph 2, of the Charter of the United Nations and with the consent of the Security Council, the Secretary-General is mandated to notify the General Assembly of matters relative to the maintenance of international peace and security that are being dealt with by the Security Council and of matters with which the Council has ceased to deal.

Members will recall that the Assembly took note of the note by the Secretary-General on agenda item 7 contained in document A/50/442 at its 98th plenary meeting, on 22 December 1995.

In this connection, the General Assembly has before it a note by the Secretary-General issued as document A/50/442/Add.1.

May I take it that the Assembly takes note of that document?

It was so decided.

Agenda item 45 *(continued)*

The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development

Report of the Secretary-General (A/50/935 and Corr.1 (Spanish only))

Draft resolution (A/50/L.72)

Report of the Fifth Committee (A/50/951)

The President: I call on the representative of Mexico to introduce draft resolution A/50/L.72.

Mr. Albín (Mexico) (*interpretation from Spanish*): It is an honour for me to introduce, on behalf of its sponsors — Canada, Colombia, Mexico, the Russian Federation, Spain, the United States of America and Venezuela — the draft resolution contained in document A/50/L.72, entitled "United Nations Office of Verification in El Salvador".

On 30 April 1996 the Mission of the United Nations in El Salvador (MINUSAL) declared its work concluded. In his report (A/50/935) to the General Assembly the Secretary-General indicated that he had reached the conclusion that, despite the considerable progress achieved during the year MINUSAL was present in El Salvador, the verification functions assumed by the United Nations could not be fully carried out by 30 April.

Accordingly, the Secretary-General proposed that the United Nations replace MINUSAL with a small group of experts on the ground, entrusted with following up the implementation of the agreements and with supporting his Envoy in his exercise of verification and good offices. That mechanism would be called the United Nations Office of Verification (ONUV). The Secretary-General added in his report that the work of that Office would be combined with periodic visits by high-level envoys.

The sponsors of the draft resolution concur with the Secretary-General's analysis of the importance of a continued United Nations presence for verification functions, and we fully support his proposals for political and institutional follow-up in order to conclude the pending aspects of the peace agreements.

After recalling resolution 50/7, of 31 October 1995, on the extension of the MINUSAL mandate and taking into consideration the report of the Secretary-General and the joint letter of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN), which expresses broad agreement on the institutional arrangements proposed by the Secretary-General, the preamble of the draft resolution before us recognizes with satisfaction that El Salvador is continuing in its evolution from a war-torn country to a democratic and peaceful nation. It further commends the Member States that have contributed personnel and voluntary financing for the Mission.

In its operative part, the draft resolution welcomes the continuing commitment of the Government and people of El Salvador to the consolidation of the peace process. It pays tribute to the work of MINUSAL and the Special Representative of the Secretary-General. It recognizes the

political commitment of the parties to continue to comply with the provisions of the peace agreements and urges them to work together to complete their implementation without delay.

By adopting this draft resolution, the Assembly would decide to establish a small United Nations Office of Verification, headed by an official at the appropriate political level, with a mandate extending through 31 December 1996.

It is worth mentioning here certain facts that we consider illustrative. In April 1994 the total number of personnel of the United Nations Observer Mission in El Salvador (ONUSAL) reached 1,559. By March 1995 that number had been reduced to 236. In its successor, MINUSAL, there were 17 persons in June 1995. The Office of Verification that this draft resolution proposes to establish would consist of only nine persons. That is what we are talking about when we refer to a small Office of Verification.

The draft resolution in document A/50/L.72 also provides that the Office should be financed within existing resources, in a manner consistent with the effective fulfilment of its mandate, and taking into account that the Secretary-General will submit proposals on possible means of absorbing its costs into the programme budget for the biennium 1996-1997.

The draft resolution goes on to note that regular visits to El Salvador by senior officials from United Nations Headquarters are making a significant contribution towards the full implementation of the peace accords. It emphasizes the importance of the cooperation of the new United Nations Verification Office with other United Nations bodies and calls upon Member States and international institutions to continue to provide assistance for peace-building and development in El Salvador.

Finally, the Secretary-General is requested to report on the implementation of the draft resolution.

We sponsors are convinced that the implementation of the peace agreements has reached a critical phase. For that reason, we attach the highest priority to the continued presence of the United Nations in El Salvador. It is imperative to ensure that this case, which has been described as one of the most satisfactory experiences of our Organization, should be brought to a successful conclusion.

With the support of the Secretary-General and the Office of Verification, with the presence and cooperation of the countries that make up the Group of Friends and with the support and generous contribution of the international community, the sponsors trust that all measures necessary will be adopted to ensure that this process in El Salvador, begun in 1989, will be fully and satisfactorily completed by the end of this year.

The sponsors invite the General Assembly to express its support for the Salvadoran peace process through the unanimous adoption of the draft resolution I have had the honour to introduce.

Mr. Ferrarin (Italy): I have the honour to speak on behalf of the European Union. The following countries associated with the Union have expressed their intention of associating themselves with the following statement: Cyprus, Hungary, Latvia, Lithuania, Malta, Poland, Romania and Slovakia.

The European Union has repeatedly underlined the importance of a continued United Nations presence in El Salvador and of the United Nations participation in the consolidation of peace and democracy and in the fulfilment of the peace process in a country torn by civil war for years. This operation represents a United Nations success story in keeping with fundamental principles enshrined in the San Francisco Charter.

Over a five-year period the direct involvement of the United Nations has made a fundamental contribution to the transitional process of Salvadoran society. Thanks to the satisfactory conduct of the presidential, legislative and local-government elections in May 1994, that process has given the country a renewed stability based on democratic values and respect for human rights.

Exactly one year ago, in responding to the recommendations of the Secretary-General and to the requests of the Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN), the United Nations Observer Mission in El Salvador (ONUSAL), at the end of its mandate, was transformed into a Mission adapted to the improved situation and therefore less burdensome to the United Nations budget.

The new Mission was able adequately to ensure the presence of the international community and the direct support of the United Nations for the peace process, especially in the areas that proved to be most critical to the implementation of the Chapultepec Agreement: public

security, constitutional and legislative reform, the land-transfer programme and the transfer of rural human settlements.

The General Assembly agreed, with the full consensus of all the Member States, on the need to continue assistance to El Salvador, *inter alia*, in the verification of the implementation of the peace accord. This was the reason for the establishment of the Mission of the United Nations in El Salvador (MINUSAL). The European Union believes that the attitude shown by the parties committed to the implementation of the Chapultepec Agreement has fully proven that the peace process is irreversible. Now that the most critical stage — during which there was still some risk to the fundamental aspects of the process — is over, we have clearly entered the post-conflict peace-building phase. As the Secretary-General points out in his latest report, this is demonstrated by the fact that, in the past 15 months, cooperation between the parties, ONUSAL/MINUSAL and other agencies, in which the United Nations Development Programme played a leading role, has made it possible to formulate numerous projects for technical assistance and institutional strengthening. The Salvadoran Government presented a number of projects to the Consultative Group donor meeting convened by the World Bank and Inter-American Development Bank in Paris last June. Other donor countries, including some members of the European Union, have contributed bilaterally, also in areas crucial to the improvement of security.

One of the many lessons that can be learned from the United Nations experience in El Salvador is the need in multi-functional operations for continuity between peace-keeping, preventive diplomacy and post-conflict peace-building, in a general context in which development issues must be addressed through constant and coordinated interventions.

In the Secretary-General's report, we note with satisfaction the positive trends towards the establishment of the rule of law, based on respect for human rights and a more capable and efficient judicial system. In this regard, the office of the National Counsel for the Defence of Human Rights has provided a significant contribution, and the strengthening of its action must be praised.

The European Union is aware of the work still to be completed. There is a need to verify that every aspect of the peace agreements is implemented. In particular, we note the importance of the reform of the legal system and other legislative reforms, of security, of land transfer, of the transfer of human settlements and of the reintegration of former combatants. Furthermore, we are concerned about the recent adoption of emergency legislation designed to fight crime, which, as the Secretary-General points out in his report, represents a substantial departure from the process embodied in the peace accords and contradicts, in some instances, basic human rights and due-process standards.

In the view of the European Union, special attention must be paid to the reform of the electoral system. Alongside some encouraging signs — such as the approval of the bill creating the national civil registry and its Organic Law — there are shortcomings in the long-term reform and in the preparation of the legislative and local-government elections for 1997. We cannot hide our concern over the report's indication that the registry will probably not be in place for the upcoming elections. At the same time, we note the difficulties described in the functioning of the Supreme Electoral Tribunal.

It is in this spirit that the European Union will support the electoral reform, which constitutes the most significant step towards complete democratization. The European Union is therefore convinced of the need to maintain a qualified United Nations presence in the country. Today's draft resolution, which establishes the United Nations Office of Verification — which, together with the periodic missions from New York, will help the parties fulfil their commitments — deserves our full support.

This operation is of the same nature as those referred to in the letter of the Secretary-General to the President of the General Assembly, circulated as document A/50/891, in which he alerts Member States to the implications of requesting him to implement extended mandates without at the same time providing adequate additional funding. As a major contributor to the United Nations regular and peace-keeping budgets, assuring at present 50 per cent of the actual cash flow, the European Union is aware of these implications. We fully share the view expressed by the Secretary-General that human rights missions have been established to help bring to an end long-standing conflicts and create conditions for a lasting peace in the countries concerned.

In our view, it is not possible at this stage to have a clear understanding of whether it is necessary to have additional appropriations or whether it can be reasonably expected that the expenses for the United Nations Office of Verification will be partially absorbed within the

existing resources. Let me say that the European Union is ready to agree on the financing of this operation with additional assessments if it proves impossible to absorb these expenditures through savings from the programme budget. To that extent, it may not be ultimately possible to carry out these activities within the existing resources.

Mr. Gelber (United States of America): Having supported the people of El Salvador in their efforts, first to achieve peace and now to rebuild their society and consolidate democracy, the United States is proud to be a sponsor of draft resolution A/50/L.72, which establishes the United Nations Office of Verification (ONUV). The United Nations has played an essential role in bringing peace to El Salvador. Its outstanding work — first through the United Nations Observer Mission in El Salvador (ONUSAL), then through its successor, the Mission of the United Nations in El Salvador (MINUSAL), and now through ONUV — has set the standard by which all other United Nations missions will be judged.

Let there be no doubt: the Salvadoran peace process has been an overwhelming success. We meet here today to authorize this presence as the capstone of an enormous effort by the Salvadoran Government, the Frente Farabundo Martí para la Liberación Nacional and the entire Salvadoran people. It is imperative that the parties bring the same dedication and courage that they showed in negotiating the Chapultepec Agreement to completing its implementation. As we do not envision an extension of this Mission, the parties must fulfil their commitments without delay. The United States will continue to do all that it can, in concert with the international community, to assist the parties to that end.

Finally, we are pleased with the action in the Fifth Committee regarding the financing of ONUV, which we consider to be an important consideration, and we look forward to the Secretary-General's report requested by the Fifth Committee.

Mr. Yáñez-Barneuvo (Spain) (*interpretation from Spanish*): Earlier in this debate the representative of Italy spoke on behalf of the European Union. Obviously, my delegation fully associates itself with his statement. However, we wish to make some additional comments, Spain being both a member of the Group of Friends of the peace process in El Salvador and a country that contributes personnel and assistance to the United Nations presence in El Salvador.

El Salvador has come a long way since the Chapultepec Agreement of January 1992. One of the most savage conflicts to have beset that region is now over, thanks to resolute will of the parties, assisted by the United Nations and the work of the Group of Friends, to make the fervent wishes of the Salvadoran people for peace and reconciliation come true. During these years we have actively followed the transformation of that will into specific steps, and we supported the approach taken. The presence of the United Nations Observer Mission in El Salvador (ONUSAL) and, later, the Mission of the United Nations in El Salvador (MINUSAL) has enabled the United Nations, at the request of the parties, to carry out its mandate, verify and monitor the full implementation of the peace agreements.

I wish to take this opportunity to commend the important work carried out at the head of MINUSAL, first by Mr. Enrique ter Horst, and later by Mr. Ricardo Vigil, as representatives of the Secretary-General. The regular visits of the Assistant Secretary-General for Political Affairs, Mr. Alvaro de Soto, have likewise contributed considerably to this process.

The mandate of MINUSAL ended on 30 April 1996, and, despite the clear progress made, all the pending aspects of the peace agreement finally established by the parties in the programme of work of 27 April 1995 have not been fully resolved, in particular with respect to public security, the process of legislative and constitutional reform, the land transfer programme and the transfer of rural settlements. This emerges from the report of the Secretary-General of 23 April 1996.

The letter that the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) jointly addressed to the Secretary-General on 23 April 1996, underscores the keen commitment of the parties to ensure the fulfilment of the peace agreement in the best possible way. To that end, they request the formation of a United Nations presence to verify the total implementation of the items still pending. In his report the Secretary-General also concludes that the United Nations should continue to exercise its good offices in El Salvador through a presence on the ground to assist the parties in that work.

It is a source of satisfaction for my delegation to see the progress that has been made and to express our confidence that this new stage in the United Nations presence in El Salvador will mean the definitive culmination of the country's transition process to real and

complete national reconciliation and consolidation of democracy through the strengthening of institutions and through economic and social development. The peace process in El Salvador is one of the best examples of what can be achieved by the will of a people and the commitment of the parties. The international community should continue to lend its support so that those achievements will not be undone, but, rather, will be firmly consolidated through the full implementation of the peace agreements.

In accordance with the draft resolution contained in document A/50/L.72, introduced earlier by the representative of Mexico on behalf of the Group of Friends, the General Assembly would decide, following the recommendation of the Secretary-General, to establish a small United Nations Office of Verification (ONUV), headed by an official at the appropriate political level, which would be entrusted with verifying the implementation of pending aspects of the peace agreements in El Salvador until 31 December 1996.

This is an important decision, to be adopted at the request of the parties. It focuses on the most pressing priorities for ensuring that the peace process can be successfully concluded by the end of this year. The establishment of this new mechanism called ONUV is also an acknowledgement of the work done to date, since fewer resources and personnel will be sufficient to carry out the tasks of verification and good offices in connection with unresolved issues. In this way the international community is expressing its confidence that the Government of El Salvador and the other political and social forces of the country will take concrete steps to accelerate the implementation of the pending aspects of the peace agreements, especially where the will and political determination of the parties, in a spirit of cooperation and flexibility, constitute a key factor for overcoming the present delays.

The peace process in El Salvador is irreversible. The consolidation of democracy is rooted in the strengthening of its institutions and respect for the rule of law — hence the importance of setting in motion reforms in the judicial system and, in particular, the constitutional and other legislative reforms that have yet to be ratified in the national Assembly, pursuant to the peace agreements and the recommendations of the Commission on the Truth. The emergency measures adopted to combat the increase in crime should not undermine the advances achieved in public security, among which we should emphasize the creation of the National Council on Public Security; nor should they infringe fundamental human rights and freedoms.

Spain, as a country which provides advisers and instructors for the National Public Security Academy and the National Civil Police, takes the view that these institutions should continue to develop in a legislative and functional framework, in accordance with the peace agreements. We welcome the fact that, as the Secretary-General states in his report, broader and broader sectors of Salvadoran society are aware of the importance of public security measures in consolidating democracy and the rule of law and in improving the quality of life of the population.

Together with consolidation of its democracy, El Salvador is undertaking the important task of national reconstruction and development. The international community has made a firm commitment to that undertaking, adding its efforts to those of the Government of El Salvador and all of Salvadoran society, as is shown by the many technical-assistance and institution-strengthening projects being carried out in the country by organs of the United Nations system, international financial institutions and donor countries, such as Spain. Advances in programmes for land transfer and rural human settlements will also make it possible to increase such international assistance.

Under the draft resolution before the General Assembly, which we hope will be adopted by consensus, the international community will continue to help the parties comply with the pending aspects of the peace agreements, through the United Nations Office of Verification, regular visits to El Salvador by high-ranking officials from United Nations Headquarters and the coordinated work of the organs of the system. All of this clearly shows the interest our Organization takes in ensuring that the peace processes in Central America will become an example of harmony, democracy and development for all the world. Spain joins in this collective effort, expressing its confidence that the will of the parties and all of Salvadoran society will ensure that the full implementation of the peace agreements will become an integral part of the daily life of every citizen of that country.

The President: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/50/L.72, entitled "United Nations Office of Verification in El Salvador".

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/50/951.

The Assembly will now take a decision on draft resolution A/50/L.72.

May I take it that the Assembly decides to adopt draft resolution A/50/L.72?

The draft resolution was adopted (resolution A/50/226).

Mr. Meléndez-Barahona (El Salvador) (*interpretation from Spanish*): We note with concern that the mandate of the Mission of the United Nations in El Salvador (MINUSAL) formally came to an end on 30 April last, in accordance with General Assembly resolution 50/7, and that the replacement mechanism to maintain the United Nations presence in El Salvador through the end of December 1996, proposed by the Secretary-General in his report contained in document A/50/935, could not be implemented because additional credits were not allocated and other mandates were not reduced. This lack of financial resources could affect the Organization's commitment and responsibility to fulfil its mandate to provide verification and good offices until the final implementation of the tasks pending under the peace agreements in areas that are fundamental to the consolidation of peace, development and democratization in El Salvador, in accordance with the request of the Government of El Salvador and the other parties to the Chapultepec Accords.

Given this situation, we have followed with attention and interest the discussion on the financing of the various peace-keeping operations and of other activities with financial implications for the budget of the Organization in the biennium 1996-1997 — including those relating to El Salvador — which have great importance to the Organization in its efforts to achieve the goals of international peace and security established by the Charter.

We understand that the United Nations is currently experiencing a financial crisis, which many have described as a payments crisis arising from the non-compliance of States Members of the Organization, especially major contributors, with their financial obligations. This affects the implementation and efficient development of important projects in which the Organization has been given a mandate to fulfil, pursuant to resolutions of the General Assembly or the Security Council.

The United Nations has been doing first-rate work in the peace process in El Salvador, focusing its activities on verifying fulfilment of all the commitments contained in the Peace Accords signed in Mexico City in 1992. Since that date great progress has been achieved, moving from peace-keeping to the consolidation and building of peace. The result, as the draft resolution states, has been

> "the continuing evolution of El Salvador from a country torn by conflict into a democratic and peaceful nation". *(A/50/L.72, third preambular paragraph)*

This draft resolution was generously submitted by the delegation of Mexico on behalf of the Group of Friends of the process. The Government of El Salvador and the other parties to the peace agreements have repeatedly reaffirmed their political commitment to continue to implement their provisions to the fullest, because this is seen as a key element for consolidating the peace process. Both internally and externally, it is believed that there remain situations, deriving from non-compliance with the peace agreements, that require the attention and support of the international community in order successfully to complete the process, which thus far has made positive advances in the consolidation of peace, in keeping with the spirit and will of the participants in the process. We believe that the process deserves continued solidarity and appropriate support in order to achieve the proposed objectives and to overcome the problems that gave rise to the conflict. This would lead to the laying of solid foundations, so that the achievements made so far could become irreversible.

The United Nations presence in El Salvador has undergone a process of reduction, in line with needs and political developments in El Salvador, to the point of the current proposal to establish a small United Nations Office of Verification in El Salvador. The cost of this Office, if compared with that of other United Nations field operations, is small in financial terms but of enormous dimensions in terms of the value of providing verification and good offices in order to facilitate the full implementation of the peace agreements in El Salvador. This has been acknowledged by the Government of El Salvador and the parties involved in the agreements in their respective messages to the Secretary-General

reaffirming the need for the Organization to maintain a presence until the final fulfilment of the commitments of the peace agreements.

We are pleased to note the understanding and the good will shown by delegations in considering this item in the Fifth Committee. Recognizing the importance of maintaining an international presence in El Salvador, they facilitated the necessary consensus so that the Committee could recommend to the General Assembly the adoption of draft resolution A/50/L.72.

In conclusion, we wish to thank the members of the Committee, and especially its Chairman, Ambassador Erich Vílchez Asher, for submitting two draft decisions, one of which was adopted by the Committee on the basis of its inclusion of the provisions agreed on as appropriate by the members of the Committee. Likewise, we wish to state once again our appreciation to the international community, in particular to the Secretary-General, his Special Representatives and the countries that are Friends of the peace process, for their solidarity and their support for maintaining a United Nations presence in El Salvador in order to verify the final stage of the implementation of the agreements. For this reason, now that the General Assembly has adopted the resolution, we believe that the countries that doubted the need for a United Nations presence have now understood that the efforts to consolidate peace in El Salvador are larger than the cost that they may entail. We hope that when the mandate of the United Nations Office of Verification in El Salvador is completed in December 1996, we will be able to say to the international community that we have fully implemented and complied with the agreements, in accordance with the aspirations of the Salvadoran people.

The President: We have thus concluded this stage of our consideration of agenda item 45.

Programme of work

The President: At the request of several delegations, the last item on our agenda for this morning, sub-item (a) of agenda item 95, entitled "Trade and development", is postponed to a later date, to be announced in the *Journal*.

The meeting rose at 12.05 p.m.